

# Western Carolinian.

It is even wise to abstain from laws, which, however wise and good in themselves, have the semblance of inequality, which find no response in the heart of the citizen, and which will be evaded with little remorse. The wisdom of legislation is especially seen in grafting laws on conscience.

Dr. Channing.

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## GOVERNOR'S MESSAGE.

The following Message was transmitted to both branches of the Legislature, by his Excellency Gov. Owen, through his private Secretary, Mr. Meier, on Tuesday the 16th inst. viz:

To the Honorable the General Assembly of N. Carolina.

### GENTLEMEN,

You have again the enviable privilege of assembling yourselves together, as the representatives freely chosen, of a sovereign and independent people, to deliberate upon their concerns, and to legislate for their benefit; and probably the beneficence of Providence has not been more clearly manifested in any of the political events of the age in which we live, than in imparting that wisdom to the framers of the Constitution under which you are assembled, and by which that happy form of Government was established, which preserves us equally free from the tyranny of the old world, and the confusion and licentiousness of some of the nations in our own hemisphere. Trusting for the success of your labors to the rectitude of your intentions, and above all, casting yourselves upon the favour of that being who is "the founder of nations and the builder of worlds," and without whose blessing, all human efforts must be exerted in vain, they must result in the establishment of measures, tending to the advancement and exaltation of the prosperity and character of our State, and the happiness of its people.

The object of all our legislation is the happiness of our citizens, and in furtherance of this object, I would particularly invite your attention to the education of our youth, the internal improvement of the State, and the regulation of the circulating medium, as the three great leading subjects, which should claim your attention at the present session. Other subjects of importance will suggest themselves to your consideration, too numerous to receive particular attention in an annual communication from the Executive, but of sufficient importance not to escape the vigilance of the Legislature.

The importance of a general diffusion of knowledge is universally admitted; nor is it any longer pretended that learning is unfavorable to morals, or injurious to the best interests of a nation. On the contrary, our own experience as a nation, and the history of the world prove to us, that most of those who are condemned to the just punishment of malefactors under the laws of a christian community, are the exceedingly ignorant, who have been hurried into acts of violence, or seduced into excesses, by the example of a few, whose situation from fortuitous circumstances affords them a passport to luxury, and to criminal indulgence. If then it be true that the vice, irreligion, and consequent poverty and misery of a large portion of our fellow citizens are to be attributed to their intellectual condition, are these not indispensable considerations, to the virtuous legislator? The benevolent designs of the philanthropist, and the particular plans of the political economist, to promote the general diffusion of education, are more instrumental expedients in the hands of the legislator; and without the aid of the strong arm of government must fall "still born," and prove ineffectual for raising the ignorant from their degraded condition. The object of education is to train the young to usefulness, and to fit them for that station, which they are to assume in after life among freemen. Without a proper cultivation of the moral and intellectual faculties, this end can never be attained—these artificial helps have ever been found to suffice. Whilst other members of this great confederacy have been appropriating millions for the general concern of literature and establishing schools for the education of their youth, thereby enabling them to keep pace with the enlightened age in which we live, has there not been a manifest dereliction of duty on the part of those who have been entrusted with the regulation of the political economy of N. Carolina, that in all its bounds there never has been established a single institution for gratuitous instruction, even in the elementary branches of education? Fellow Citizens of the Senate and of the House of Commons, should this be so? and will you permit it any longer to be the case? Have we not resources approaching almost to immensity lavished upon us? And if they are not properly applied, is it not time to raise a protesting voice against a species of economy, which has so long kept the poor in ignorance, and the State in poverty? Fully sensible of the arduous nature of the duties which devolve upon

the Legislature—of the difficulty of reconciling the views even of those most friendly to the establishment of primary schools for the instruction more particularly of the poor, we may yet be consoled by the reflection, that the path is not an untrodden one, but has led other Legislatures to the happiest results, by ameliorating the condition of society, establishing correct habits, morals and religion, always under the dominion of education—and these are the only sure conservators of the government under which we live. In the archives of the State, you have abundant materials from which to compile a system for North Carolina, for the gratuitous public instruction of the youth of the State. If, in such a system, it be necessary to tax the wealthy for the benefit of the poor, it is in the nature of things that it should be so, and it should be recollected that it is the latter, who are often called on to fight the battles of their country.

The university of the State, should, in connection with primary schools, also claim the fostering care of the Legislature. For this institution, spacious buildings have been erected, extensive and valuable libraries have been collected, costly chemical and philosophical apparatus have been procured, by which the professors are enabled to communicate instruction in the elevated branches of learning and science with more ease; and these have been effected in no small degree by private contribution. After having struggled through many years for a precarious existence, until it has attained to a lofty eminence among the colleges of our country, the trustees are reduced to the necessity of either abandoning it altogether, or of turning it over to the Legislature of our country. The last alternative has been adopted. To you many of whom have received your earliest and most valuable inheritance within its consecrated walls, they are about to surrender their trust; and with that, this "child of the constitution," which, if cherished as it should be, must become the great moral engine of supplying the souls of our Legislature, the Bench, the Pulpit, and the Bar, with that learning and talent, which, without it, will be looked for in vain from other parts of the State, and must be supplied from abroad. There can be no better test of the enlightened wisdom of a nation, than the extent and sufficiency of its provision for the mental and moral instruction of its children, and we can never hope to establish for North Carolina, an elevated standard of education, or even of social and national virtue, until the principles of correct education, and their influence upon society, shall have been known, acknowledged, and practised among ourselves. Is there not a constitutional injunction on the subject of education, and (not too founded on the belief (to use no stronger terms) that a system of general education, is indispensable to a system of general morality, and that from these alone, we can hope to perpetuate the free institutions of our country.

To the internal improvement of the State, the attention of the Legislature has for years been directed, without accomplishing many very important objects. For the improvement of our intercourse, both personal and commercial, the live-liest interest has been evidenced in every part of the State, and with much propriety; for by these alone can the rich bosom of nature, distributed over our expanded territory, find a market, and a ready exchange for the varied products of other soils, and the fruits of other climates. Yet this, however correct and sound in principle, is liable to fearful delays, and even other failures, when undertaken with inadequate means, or managed by incompetent skill. Many of the most liberal and well devised plans for the internal improvement of various parts of the United States have been retarded, and in some instances have proved unsuccessful from these very causes, and have contributed not a little to sink into disrepute the whole system. I am apprehensive adequate to some great work of internal improvement cannot be made, it is better to abandon the system entirely for the present—stop and economize, until our funds accumulate, and our resources are further developed by individual enterprise, and no longer to flatter away our means by small and ineffectual appropriations, which require an additional amount nearly equal to disburse them.

The Board of Internal Improvements, which has ever been distinguished for intelligence, and never more so than at the present moment, is, nevertheless, with the Governor at their head as President ex-officio, deemed to be, for all the purposes of their appointment, an inefficient body, and, with great deference to the Legislature, should be dispensed with. The citizens of the State will not separate

the Executive, from the President of the Board, and that courtesy, which they are disposed to bestow on the former, will produce the most hurtful delays in the transaction of business in every excursion from the seat of Government. It is therefore respectfully recommended, that the Board be discontinued, and if any works of internal improvement shall claim the attention of the Legislature, so as to require an appropriation for their accomplishment, that a superintendent of public works be appointed, with a competent salary, who should be responsible to the Legislature for the performance of any enterprise, and to whom the Engineer should be responsible in turn, for the effect to be produced by his own project. Without such direct, and well founded responsibility, nothing valuable can be expected, and it is certain this kind of responsibility does not obtain in our present system.

In my last annual communication to the General Assembly, I had the honor of calling their attention to the re-opening a communication from the Alcmare Sound, to the Atlantic Ocean, and I cannot in justice to my own feelings (much heightened upon this subject by a recent examination of the waters of this commodious bay under an act of the last session) permit it to pass without calling your attention to it again. As much opposed as any one to the constructive powers of the General Government, by which the right to make appropriations from the public funds for purposes not clearly and undeniably national, is claimed, it is nevertheless believed to be an essential ingredient in the general economy of the nation, no less as regards her pursuits in peace, than a preparation for war, that Congress should have the right of constructing harbours, erecting light houses, and designating ship channels through dangerous bays. Is then the opening a direct communication from this bay to "the great highway of nations" not a work undeniably national in its character? Are not "the profits of commerce—the dangers of shipwreck—pursuit by an enemy—convenience for privateers and vessels of war," are these not national objects, and of sufficient importance to claim the attention of the General Government? Then a harbour constructed here, will, in the language of their own most distinguished Engineers, "be found precisely in that part of the coast where it is most needed."

The Good sense of the Legislature will readily perceive the special benefit which North Carolina would secure to herself by such improved navigation—yet, whatever may be the peculiar advantages which locality may give to her, as growing out of this improvement, a strong conviction must rest upon the mind of every attentive examiner of the subject, that the general advantage to the whole nation is of such preponderating influence, as to render it an object of peculiar advantage, and to bring it within the pale of constitutional appropriations from the General Government. The citizens of Norfolk, with a liberality and zeal, which have ever characterized the Commonwealth of Virginia, are still pressing on in an enterprise, by which the rich and abundant products of this important portion of our State will inevitably be drawn from us, unless the course of commerce be diverted by the energies of our citizens. If we are then disposed to give the aid of Legislative authority to our Representatives in Congress, by which that influence to which the State is entitled in the councils of the Union shall be duly felt, nothing can more effectually strengthen them in their efforts at those measures, which, in the prosecution of this business may be found needful.

The permanent and steady value of property, and the certain rewards of industry in any country depend not less upon the uniform value of its circulating medium, than upon the proper quantity for its commercial purposes, nor indeed can the one be well maintained without the other. An undue issue and employment of currency, thereby imparting an adventitious value to property, have, in most of the States of the Union, produced difficulties and embarrassments, which have seldom failed to overtake with ruin, some of the enterprising, and many of the most valuable of our citizens. So great have been the evils produced from this source, in most of the Western and Southern States, that many are disposed to welcome the return of the precious metals as the circulating medium, to the entire exclusion of paper. This latter, however, has been rendered so popular with most persons, and so indispensable to merchants, for purposes of business, and to the emigrating portion of our community, in consequence of its convenience for transportation beyond the mountains, and in innumerable instances, its return to the extensive owners of Western lands

residing in our own State, that its almost indefinite augmentation was deemed at one period of our history, not only as justifiable, but the sure means of advancing the general interest. Yet as the science of banking advanced, and redundancy and speculation were no longer considered as synonymous with prosperity, but that the precious metals had thereby been driven from us, and the currency of the country so depreciated as to have lost its exchangeable value, except at so great a discount, that the poor and middle classes of the community in point of wealth, were not unfrequently deprived of all their property, without effecting the payment of their debts. And this will never fail to be the case in any community, where the representative of property is in a depreciated state; for it is upon these classes, that the burden of such a currency must necessarily fall. The defects of the system under which we have been practising, its tendency to produce reckless adventure, improvidence and fraud, and its certain influence and effect on the moral feelings, as well as the industry of the country, are considerations which should keep before the watchful vigilance of the Legislature; and there are reasons to apprehend that the present moment is peculiarly appropriate for its examination—for although the currency of the country is now in as sound and healthful a condition as it can be made, being uniform in value with the precious metals, and the quantity, probably equal to the demands furnished by the commercial operations of the State, yet it is within the knowledge of every member of the Legislature, that this amount is in a course of such rapid diminution, that it may produce such a sudden appreciation in the value of money, and consequent depreciation in the value of property, as will overwhelm the labor part of the community in ruin. The State Bank has already discontinued two of its branches, and all the local banks have lessened their circulation to a sum, within one third of what it was but a few years since, and by a conventional regulation of these institutions with the State they are all compelled soon to circumscribe their issues within a certain sum, much below even what it now is. When to these considerations is added the fact, that they have all ceased to produce much profit to the State, and less to individual stockholders, it is but reasonable to suppose, that their charters, if not surrendered, will certainly not be extended by the Legislature. The State of North Carolina will then soon have the alternative presented to her, of submitting to a circulating medium furnished by the United States' Bank, (the existence of which beyond its present charter is certainly doubtful,) or of providing for herself such a medium of exchange, as will best subserve the interests of her citizens, guarding equally against ruinous excess, and sudden deficiency. It is therefore respectfully recommended, that a Bank be established, somewhat upon the principle of the United States' Bank neither exclusive of the property of the State, or exclusive of individuals—relying neither on the prudence of directors alone, nor yet committed entirely to the management of the Legislature. The first, actuated by mercenary motives, and regardless of a due limitation of the quantity of paper to the demands of commerce, might multiply the circulating medium beyond all due bounds—and the latter, feeling only a community of interest in such an institution with the other citizens of the State, and subject to annual change, might require the excitement of individual interest to preserve in a healthful condition the affairs of a Bank. In such an institution, restricted in their annual dividends to a specific sum, and this very little, if any, beyond the legal interest of money, it is believed that an innate check would be provided, whose force and influence from its very nature, would operate on the directory at the moment when loans were made, obviate the motive to excess of issues, and thereby ensure a uniformity in the currency with the precious metals—the primary object to be effected by all legislative enactments on this important branch of political economy. And if for such a charter, or any other which the State may grant, a compensation should be required, it should be paid, not in annual tax, but at the expiration of its charter, and out of the surplus profits of the Bank. For this modification of the system of banking, now proposed and recommended to the adoption of the Legislature, I am indebted to the simultaneous suggestion of two of the most distinguished citizens of the State, who have commanded almost an unequalled share of the public confidence, which will, I doubt not, ensure for it the respectful consideration of the Legislature.

The Congress of the United States at their last session passed a law, commonly called the "Indian Bill," by which the President of the United States is authorized to have so much of territory belonging to the United States west of the Mississippi, and not included in any State, divided into a suitable number of districts for the reception of such tribes or nations of Indians, as may choose to exchange for them the lands where they now reside—and making an ample appropriation for their transportation and subsistence for one year.

This measure, emanating no less from humanity than from wisdom, is the only practicable means of effecting the voluntary emigration of the remnant of Indian tribes still to be found in the southern States—and its consummation was devoutly to be wished for. Certainly the friends of this measure had no right to expect the systematic opposition which it has received, knowing that it had been approved and recommended by successive Presidents of the United States, ever since the territory proposed to be exchanged, had been acquired for the country. The unsuccessful attempt of the present illustrious Chief Magistrate to carry this law into effect, so far as regards the Cherokee Indians, is believed to have resulted from base advisers, many of whom, having fled from the just punishment which awaited them in the communities of which they were once members, had become intruders among these people, more ignorant, yet more virtuous than themselves. It is therefore respectfully recommended that the laws of North Carolina be extended over that portion of its territory occupied by the remnant of Cherokees, who have remained within the State; regarding those who have sustained a good character among themselves as worthy of all rights of citizenship, not inconsistent with the spirit of our laws, and guarding also against its violation, by such security, as the Legislature may deem it expedient to require.

The Tariff of duties, imposed by the Congress of the United States upon imports, has ever been deemed not only unwise but unconstitutional, and calls at this time for your solemn protest. Whilst agriculture, commerce, and manufactures, received equal encouragement from the General Government, all parts of these numerous republics were animated by prosperity—but no sooner was a disposition to favor one, at the expense of another manifested, than the violence and animosity of party spirit, which had been appeased, began to threaten the separation of the Union, which would be nothing less than the overthrow of the most beautiful monument of liberty, that mankind has ever erected. During the deep excitement which has prevailed on this subject in the South, North Carolina has evidenced a magnanimous forbearance under the heaviest burdens she has ever been called on to sustain—and are we yet required to manifest a patience, which can never be exhausted, and a "meekness, which shall bear all things?" Is it supposed that our feelings are but the smoldering embers of discontent, which require only an opportunity to be blown into a flame? Have not recent occurrences in our own neighborhood, from which we have kept aloof, proved that these are not the feelings which have actuated us? Very little is the character of our State understood, if it is believed, that her patience and submission under wrongs inflicted by the General Government, are the effect of servile fear, or a consciousness of insecurity within herself. Interest is the point, upon which she, with all the other States of the confederacy, formed their union, and to suppose that the principles of our government were founded upon any other estimate, and particularly upon any estimate, of human character which admits of no alloy, would argue a want of experience in the framers of our constitution, which our own understanding, and our own experience, discard as visionary.

A common treasury, without deriving a common benefit from it, and a common contribution to replenish it, is as unjust, as a community of goods without a community of toil. It discourages all energy by destroying the rewards of labour, and makes one portion of the country dependent upon, and subservient to another—it counteracts the very principles upon which our government was formed, viz: the common defence and general welfare.

I transmit to the Legislature a copy of an incendiary publication, which has been circulated very extensively in the Southern country, the design and mischievous tendency of which, cannot be mistaken. The discovery of this inflammatory production in Virginia, South Carolina, Georgia and Louisiana, and more recently in our own State, can leave no doubt upon any rational mind, that a systematic attempt is making by some reckless per-



Some come too, who, under the cover of pious exertion to enlighten the ignorant, and lead them from sensualizing dark paths, are willing to sow sedition among our slaves—and this book, artfully distorting the peaceful doctrines of the Bible, is intended, and well calculated to prepare the minds of that portion of our population for any measure, however despicable.

It is fruitless to complain of the relation between master and servant; and would be criminal in the Legislature to attempt to avoid any responsibility growing out of this relation, (inherent in the political condition of the southern country,) by which either the security of property, or its value, may be affected; for to the same proportion as these are secured, will the general protection and comfort of the slave be regarded. As it has been satisfactorily ascertained that some of the free persons of colour in the State have permitted themselves to be used as agents, for the distribution of seditions publications, it is respectfully recommended, that all this class of persons residing within the State, be required to give security for the faithful discharge of those duties which they owe, in return for the protection they receive, from the laws of the State. This regulation cannot prove onerous to those who have sustained a good character; for the ease with which they will be enabled to give the security required, will serve as an exemption to them from any unpleasant operations of the law; and it must be remembered, that every wise Legislature should frame its laws to suit their people—to promote the general welfare, and adapt them to the circumstances of their country.

Among the most unpleasant subjects to which I feel it my duty to call the attention of the Legislature at this time, is a decision of the Supreme Court, involving a question of deep interest, connected with the criminal law of the State. Under that clause of the Constitution which declares, that "no person shall be subject for the same offence to be twice put in jeopardy of life or limb," the highest judicial tribunal known to the laws of the State, has decided, that where a jury is once charged with the trial of a prisoner on an offence, the punishment of which would affect "life or limb," they can never be discharged without a verdict, and that the expiration of the legal term of the court without the rendition of a verdict by the jury, is, in effect, the adjudication of innocence and liberty to the prisoner.

It would be fruitless to commence an investigation of this subject for the purpose alone, of ascertaining whether "the defect is in the law, or in the administration of the law." It is now the established law of North Carolina, according to which, justice is to be administered in Courts of the State. The provisions of our penal code have been deemed to be too sanguinary—yet here is a decision, which, following perhaps the tradition of the common law of England, is an outrage upon the moral feelings of society, and magnifies the humanity of the law, at the expense of common sense and common justice—and the General Assembly, refusing to legislate upon the subject, have been held by the most distinguished counsel in the State, to sanction the decision of the Court. Little indeed have we advanced in regulating our criminal jurisprudence, and in adapting it to the character of those on whom it has to act, if instead of tending to diminish the amount of crime, it shall be found to exert a contrary influence on the morals of the community, and that the highest offences against the laws of God and man may be committed with impunity, however indubitably the fact may be established if the corruption of a single juror can be effected. It is believed the evil may be remedied by repealing so much of the law, as prescribes a period for the close of the term of any Court, having jurisdiction of offences, punishable with death, and authorizing the presiding officer of such court to continue or adjourn the same from day to day, for an indefinite period—or until the verdict of the jury is received, and the judgment of the court rendered upon a capital case, the trial of which may have been previously commenced. And this alteration of the law is respectfully recommended, being deemed sufficient to prevent the recurrence of inconveniences which have been already experienced, and as not coming in conflict with the constitutional provision on this subject.

The acts of the last session, "to enable the State Bank, and the Banks of Newbern and Cape Fear to wind up gradually, and to fix a uniform rate of collection," also required the Presidents of said Banks to make known to the Governor, on or before the first of July then next ensuing, whether these several corporations would assent to the extension of their charters as proposed by the Legislature. In compliance with this provision of the law, I received from the Presidents of each of these institutions their assent in writing, to the restricted charter—and they are now operating under these acts, parts of their several charters.

Under a resolution of the last Legislature, authorizing and directing the Governor to appoint an agent in behalf of the State to attend to the adjustment of her claims against the United States "for expenditures made in defence of the country against the common enemy during the late War," I appointed William M. Sneed, Esquire, of Granville. To enable the agent to support the claim of the State, and obtain a fair and equitable settlement, all the papers and documents which the Executive office afforded, were prepared and furnished him. The correspondence on this subject is open to the examination of the Legislature, and will shew, that nothing has been omitted on the part of the agent, which could advance the interest of the State.

If from the many unbounded and iniquitous claims which have been preferred against the General Government, it has been found necessary to guard against extensive imposition and fraud by requiring all claims to be clearly established—supported by vouchers—and to have grown out of the acts of their authorized agents—and if under the application of this rigid, but salutary rule, the demands of North Carolina, any portion of our claim should be lost, it is the part of wisdom and patriotism to submit with out a murmur, under the fullest assurance, that the claim compatible with the just rights of the State will be allowed.

The resolution relative to the employment of counsel to defend the interests of the State, in the lands called the Cherokee Lands, against grants fraudulently obtained, has been complied with. So important and difficult is the trust, and so vast the amount of property involved in these grants, that, acting in the discharge of a high public trust, I deemed it necessary and proper, to add to the counsel already employed, Henry Seawell, Esquire—to aid in the defence of the suits now pending in the Federal Court, or such other suits as it may hereafter be found necessary to prosecute or defend. The counsel thus employed, together with the Attorney General, who was directed by the same resolution to aid in such proceedings, to test the validity of the grants in question, have submitted to me a report on this subject, which I have the honor to transmit to the Legislature.

In the year 1817, the Legislature passed a resolution adopting the son of the late Colonel Benjamin Forsyth, and appropriated a sum annually, to defray the expenses of his education; but in a few years thereafter his health became so much impaired as to render a change of climate necessary; and a place was procured for him in the Navy of the United States, as promising the most speedy restoration of his health. That this State however should not seem wanting in respect for the memory of her brave deceased son who had sacrificed himself for his country—the Legislature in 1825 authorized the Governor to draw out of the Treasury of the State a certain sum, and vest it in some productive stock—the principle and interest of which should be applied for the benefit of James N. Forsyth, his only son, and be transferred to him, provided he should live to attain the age of twenty-one years—but the last account we have of the United States' sloop of war the Hornet, on board of which young Forsyth was distinguishing himself as a Midshipman, leaves no doubt that he with the rest of the crew had perished—and this too, a few days before he had attained the age of twenty-one years. The circumstance of his untimely death, has deprived me of the pleasure of transmitting to him a few shares of stock in the State Bank, and a small amount of money, and his friends of any benefit from this munificence of the State, unless you shall extend it to his surviving sisters, who are represented as in indigent circumstances, and are no less the descendants of their brave ancestor, whose valour and services you were endeavouring to reward in the person of his son.

The resolution directing the Governor to transmit the act of the last session, to incorporate the Lake Drummond and Orapeake Canal Company, to the Governor of Virginia, and to request a confirmation thereof by their Legislature, has been complied with, and at an early period of the year, the enclosed authenticated copy of an act (marked A), passed by the General Assembly of that State, incorporating said company with certain exceptions and alterations to the act of North Carolina, was received, and in obedience to the request of the Executive of Virginia is now laid before you.

About three hundred copies of "a system of Exercise and instruction of Field Artillery, including manoeuvres for light or Horse artillery," and about three thousand of a system of instruction for militia Infantry, being the quota, to which the State is entitled, of these works, compiled for the use of the militia of the United States, and published under an act of Congress, have been received from the Secretary of War, and await the distribution of the Legislature.

The file, marked B, contains resolutions adopted by the Legislatures of Georgia and Connecticut, upon the subject of amendments proposed by the States of Louisiana and Missouri, to the Constitution of the United States; and

resolutions passed by the Legislatures of Pennsylvania and Delaware, on the subject of the present Tariff; which have been received since the last General Assembly, with a request from the respective Executives of those States, that they should be laid before you.

The file marked C, contains the resignations of such militia officers and Justices of the Peace, as have been received during the recess of the Legislature.

The happiness and prosperity which we now enjoy, having been secured to us by the disinterestedness, the voluntary privations of our ancestors—those virtues which we annually commemorate as the highest ornaments of our forefathers—should not be forgotten, that the glory of our country is now in our own keeping, and that our duty to prosperity, and more particularly those who are immediately to follow us, impels us with inflexible resolution and unwearied perseverance to hand down to them the government under which we live, with as small a portion of error and folly to answer for, as a vigilant guardianship of the interest of the State committed to our care, will enable us to do. In the pursuit of these objects you are now assembled, and it remains only for me to offer you in the dignified office to which I have been called, my hearty co-operation in all measures calculated for the development and application of our vast, and hitherto too much neglected resources, and for the furthestance of the public good.

I am, Gentlemen,  
Most respectfully,  
Your fellow citizen,  
JOHN OWEN.  
Executive Office, Nov. 16 1830.

## Legislature.

FROM THE RALEIGH STAR.

The Legislature of this State met on Monday last. The meeting was unusually full for the first day of the Session—the whole number of members, five only excepted, having appeared, quitted and took their seats. The two Houses then proceeded to organize, by the appointment of their officers. In the Senate, Mr. Matthews nominated D. F. Caldwell, Esq. of Rowan, for Speaker; and, on motion of Mr. Montgomery, the name of Richard D. Spaight, Esq. of Craven, was added to the nomination. On the third balloting Mr. Caldwell received a majority of the whole number of votes, was announced as duly elected, and conducted to the Chair, from whence, in a concise and pertinent address, he returned his thanks to the Senate for the honor thus conferred upon him.

At the three several ballotings, the votes stood as follows:

	1st	2d	3d
Caldwell, . . . . .	29	27	30
Spaight, . . . . .	26	29	27
Blank, . . . . .	3	2	1

Samuel F. Patterson was then appointed Clerk, and W. J. Cowan, Clerk Assistant; Thomas Wadler, Doorkeeper, and Robert Ray, Assistant Doorkeeper.

In the House of Commons, Mr. Bateman nominated William J. Alexander, Esq. from Mecklenburg, for Speaker; and the name of Charles Fisher, Esq. of Salisbury, was, on motion of Mr. O'Brien, added to the nomination. On the second balloting, it appeared that Mr. Fisher had received a majority of the whole number of votes, and was therefore, elected; and on being conducted to the Chair, he, in very neat and appropriate terms, briefly tendered his acknowledgements to the House.

The following exhibits the result of the ballotings:

	1st	2d
Fisher, . . . . .	61	68
Alexander, . . . . .	37	59
J. A. Hill, (not in nom) . . . . .	8	3

Charles Manly, Esq. was appointed Clerk without opposition. The House then proceeded to ballot for Clerk Assistant, which resulted as follows:

	1st	2d
Thomas Dews, . . . . .	45	41
George W. Haywood, . . . . .	13	14
William Henderson, . . . . .	9	9
Blank, . . . . .	7	7

Neither of the candidates having a majority of the votes, there was no election.

In the Senate, on Tuesday, Mr. Askew presented a resolution, authorizing the Speaker to appoint a committee of three persons to examine into the expediency of altering or amending the Rules of the last Session of the Senate for the government of the Senate at the present session: Whereupon Messrs. Askew, Spaight and Hinton, of Wake, were appointed to form said committee. On the motion of Mr. Wilson, the Senate agreed to be governed by the Rules of the last Session until the adoption of the report of the committee. Messrs. Jones and Williams, of Franklin, were appointed the committee on the part of the Senate, to wait upon the Governor, and inform him of the organization of the Legislature, and of its readiness to receive any communication he may think proper to make. A balloting for three Engraving Clerks was then had, when Eliza B. Smith was elected Engraving Clerk; and

no other person in nomination had a majority of the votes. The following is the state of the balloting:

Smith, . . . . .	109
John W. Covington, . . . . .	68
G. T. Moore, . . . . .	67
James Burney, . . . . .	63
Daniel Coleman, . . . . .	59
Jas. A. Vaughn, . . . . .	51
N. J. King, . . . . .	30
Jno. B. Jasper, . . . . .	27
Thos. Dews, . . . . .	23
James Bruce, . . . . .	15
Thos. G. Whitaker, . . . . .	13
Jno. J. Blackwood, . . . . .	9
Jos. Woods, . . . . .	8
W. D. Dyer, . . . . .	3
Wm. A. Walker, . . . . .	3

\*Mr. Dews was not in nomination.

Mr. Martin submitted the following resolution: "Resolved, that the first section of the Joint Rules for both Houses be amended, by striking out the words, in the first line of said section, 'perfect and'; which being read, on motion of Mr. Hinton, of Wake, it was ordered to lie on the table until the next day.

In the House of Commons, of Tuesday John Lyndon was appointed principal, and Richard Roberts, assistant Doorkeeper. The House then resumed the election of Clerk Assistant, which on the third balloting, resulted in the election of Thos. G. Stone. The votes stood thus:

	Ballotings.
	1st 2d
Stone, . . . . .	56 66
Dews, . . . . .	43 45
Hawwood, . . . . .	16 18
Henderson, . . . . .	8 withdrawn
Stedman, . . . . .	5 do

On motion of Mr. O'Brien, it was resolved that a select committee be appointed to prepare rules for the government of this House, and that in the interim the rules adopted at the last General Assembly be regarded as in force. The Speaker appointed the following persons to compose said committee: Messrs. O'Brien, W. J. Alexander, Wright, Stokes and Moon. Messrs. Wadler and Moon were appointed of the select joint committee on the part of this House, to wait upon the Governor and inform him of the readiness of the two Houses to receive such communications as he may think fit to make. Mr. Fox presented the following resolution, to wit: "Resolved, that the Public Treasurer report to this House the amount of specie funds belonging to the State, and were deposited;" which was read and adopted; and subsequently, on motion of Mr. Sawyer, it was reconsidered, and, on motion of Mr. Stokes, ordered to lie on the table.

### By Sunday night's Mail.

Since our paper has been in press, we have received the Raleigh papers, from which we take the following digest of the proceedings of our Legislature. We hope it will be sufficiently interesting to compensate our readers for the non-appearance of much original and miscellaneous matter which was, previously, in press.

#### SENATE.

Wednesday, November 17.

On motion of Mr. Montgomery, the Senate proceeded to the appointment of the Standing Committees, pursuant to the Rules of the Senate, which resulted as follows:

**Committee of Finance.**—William M. Sneed, J. Blackwood, Joseph B. Hinton, Edmund Jones, Louis D. Watson, Geo. O. Askew, Tryon McFarland and Edward Ward.

**Of Claims.**—Robert Martin, Robert Vanhook, J. M. Lavette, S. Davenport, Gabriel Snerrard, Wm. R. Hill, John H. Hawkins and Snadrock Howell.

**Of Propositions and Grievances.**—Joseph J. Williams, Luke R. Simmons, Marshall Dickinson, Daniel Hoke, Joseph A. Ramsey, John Hill, John Bessley and W. Marchison.

**Of Privileges and Elections.**—Stephen Miller, Wm. Montgomery, Wells Cowper, Alex. McNeill, Ransom Harris, William Welch, W. Mays and Wm. P. Williams.

**On the Judiciary.**—William B. Messers, Isham Matthews, Clement Marshall, Henry Skinner, R. D. Spaight, David Newland, Jno. M. Dick and Charles L. Hinton.

**On Military Affairs.**—Edmund Jones, John H. Hawkins, Edward Ward, Gabriel Snerrard and J. J. Williams.

Thursday, November 18.

Mr. Hinton of Wake, submitted a series of Resolutions having for their object, the reference of the various topics contained in the Governor's Message, to distinct Committees. The Resolutions being read, they were, on motion of Mr. Spaight, ordered to lie on the table. They were subsequently taken up, modified and adopted.

Mr. Martin presented a Resolution, to refer so much of the Governor's Message as relates to the establishment of a Bank to a joint select Committee, which was agreed to.

Mr. Murchison presented a Resolution which was adopted, instructing the Judiciary Committee to enquire into the expediency of amending the existing law for the mortgaging of personal property, so as to limit the equitable interest to the conditions of the contract.

Mr. Boddie submitted a Resolution to raise a joint select Committee on Internal Improvements. On motion the said joint was struck out and the Resolution as amended, was adopted.

**Bills presented.**—By Mr. Hinton of Wake a bill for the regulation of the Patrol, By Mr. Caldwell of Iredell, a bill to authorize and direct the Supreme Court to hold at the several places therein directed. [Provides that it shall be held alternately at Raleigh and Statesville.] By Mr. Williams of Martin, a bill to alter the mode of compensation to members of the Senate and House of Commons. These bills were severally read the first time.

Friday, November 19.

Mr. Skinner presented to the Senate in the name of Gen. Jno. H. Jacobs of Perquimans, a volume containing the reports of the Board of Managers of Prison Discipline Society, which was ordered to be deposited in the Public Library.

On motion of Mr. Williams of Franklin, the Judiciary Committee were instructed to enquire into the expediency of amending the law of last Session, relating to the compensation of Sheriffs and Clerks.

On motion of the same gentleman, the same Committee were instructed to enquire into the expediency of modifying the present system of the Judiciary of this State.

On motion of Mr. Boddie, the same Committee were instructed to enquire into the expediency of amending the several laws of this State, regulating descents, so far as to prevent the half blood from sharing equally with the whole blood.

**Bills presented.**—By Mr. Newland, a bill authorizing the raising a troop of Cavalry in Burke, Wilkes and Iredell. By Mr. Hinton of Beaufort, a bill appropriating a sum of money for the improvement of the navigation of Pungo River. By Mr. Newland, a bill to amend a part of the 4th section of an act passed in 1823, to provide a revenue for the payment of the Civil list and contingent charges of Government. These bills were read the first time.

Saturday, November 20.

On motion of Mr. Boddie, the Judiciary Committee were instructed to enquire into the expediency of amending the act now in force, regulating the mode of proceeding against the real estate of deceased debtors, so as to prevent heirs or devisees from selling or conveying the real estate of a deceased before such estate is settled, or within the time limited by law for the settlement of deceased persons' estates.

On motion of Mr. Cowper, the same Committee were instructed to enquire into the expediency of altering and amending or entirely repealing the act of 1826, Chapter 8, regarding Administrators and Executors.

Mr. Hinton of Beaufort, presented the following Preamble and Resolution, which were adopted, viz:

In order to relieve the Superior Court of a mass of business growing out of the multitude of prosecutions for trivial offences, leading in some counties little or no time to said Court, for hearing & determining matters of the deepest importance to the parties, on the Law and Equity Dockets of said Courts:

**Resolved,** that the Judiciary Committee be instructed to enquire into the expediency of giving to the Courts of Pleas and Quarter Sessions, exclusive original jurisdiction of all prosecutions for minor offences.

On motion of Mr. Wilson, the Committee on Military Affairs, were instructed to enquire into the expediency of distributing a portion of the Public Arms among the several Counties within this State.

**Bills presented.** By Mr. Williams of Franklin, a bill to provide for the distribution of the estate of deceased persons. By Mr. Cowper, a bill to prevent the burning Court Houses and other public buildings. By Mr. Wilson, a bill to establish Hickory Grove Academy, in the county of Edgecomb. By Mr. Caldwell of Iredell, a bill to amend an act passed in 1822, to provide for the payment of the Civil list and Contingent charges of Government.

These bills were severally read the first time.

Monday, November 22.

On motion of Mr. Boddie, the Judiciary Committee were instructed to enquire into the expediency of amending or explaining the first section of an act passed at the last session fixing the fees of Clerks and Sheriffs, so far as respects the fees paid by Executors, Administrators and Guardians.

On motion of Mr. Newland, the same Committee were instructed to enquire into the expediency of giving to a single Justice of the Peace, jurisdiction in all cases of loaned property, where the amount does not exceed twenty dollars.

On motion of Mr. Hill, the Committee to whom was referred that part of the Executive message relative to the Tariff, were directed to enquire into the expediency of drawing up a respectable petition, to be signed by the Speaker, and members of both branches of this Legislature and to be laid before the approaching Congress, praying a repeal or modification of said Tariff so as to operate equally on the citizens of the Union.

**Bills presented.** By Mr. Gwynn, a bill to repeal a part of an act passed in 1822



concerning the public lands in Haywood. By Mr. Dick, a bill to amend an act passed in 1805, to prevent vice and immorality, by declaring the offence therein contained, to be subject to indictment. By Mr. Dick, a bill to amend an act passed in 1741, for the better observation and keeping the Lord's day &c. By Mr. Morrison, a bill to amend an act for the suppression of vice and immorality. These bills were read the first time.

**Tuesday, November 23.**  
Mr. Meares, from the Judiciary committee, reported without amendment the bill to amend an act passed in 1741, for the better observation of the Lord's day. The bill was read the second time, and on the question shall the bill pass, it was determined in the negative.

Mr. Meares, from the same committee, made an unfavorable report on the proposition to give to the County Courts exclusive original jurisdiction of all prosecutions for minor offences. Concurred with.

Mr. Askew submitted a resolution which was adopted, directing the committee on Internal Improvements to enquire into the expediency of abolishing the Board of Internal Improvements, at present.

### HOUSE OF COMMONS.

**Wednesday, Nov. 17.**  
On motion of Mr. Smith, a select committee was appointed to take into consideration, the Act passed at last Session, fixing the fees of the Clerks of the County and Superior Courts and of Sheriffs, and enquire what amendments are necessary to the same. Messrs. Smith, Barringer, Dozier, Wiseman and McNeill compose this Committee.

Mr. Amos Weaver submitted a Resolution that a message be sent to the Senate, proposing to raise a joint select committee to enquire into the possibility and expediency of so altering the law with respect to the appointment of Clerks of County Courts, as to vest the right of electing them in the people.

Mr. Sawyer moved to amend the Resolution by striking out the word "possibility," and to include Solicitors, in the proposed alteration.

Mr. Blair moved further to amend it, by adding Constables, and

Mr. Mebane moved, that the Resolution and amendments be indefinitely postponed, which motion prevailed by Yeas and Nays, 91 to 39.

The annual Report of the Public Treasurer was communicated from that Officer, and ordered to be printed. It will be published in our next.

**Thursday, Nov. 18.**  
On motion of Mr. E. Alexander, a select committee was appointed to examine the Patrol Laws of the State, with a view to ascertain whether any alterations are expedient.

Mr. Kendall presented a Resolution in favor of John Bolmore of Montgomery. Referred to the committee on claims.

The Speaker announced the appointment of the Standing Committees, which are constituted as follows:

**Committee of Claims.**—B. T. Simmons, J. Wiley, A. Grady, Frederick Foy, T. Marshall, John M. Bryan, Joseph White, A. A. Loretz, John Brown, Wm. Watts, S. Whitaker, John Bragg, W. Wiseman, Spencer O'Brien, J. Worth, J. Weaver, and T. Tatham.

**Of Propositions and Grievances.**—Geo. Blair, Thomas Wilson, W. W. Stedman, J. Rowe, J. Rhodes, T. S. Singleton, T. G. Polk, John Stockard, Alexander Buie, Wm. A. Morris, Nathaniel G. Rand, Gray Little, Jos. Arrington, N. G. Smith, A. C. Moore, William Orr and J. C. Barnhardt.

**On Education.**—Samuel T. Sawyer, U. W. Swanner, J. A. Chesson, C. G. Spaight, Nathan B. Bush, Will. K. Frederick, Thomas Hill, Dan. M. Barringer, J. P. Gauze, Will. Branch, Will. Clarke, James Hayley, Amos Weaver, Aaron, Min H. Phillips, M. Fleming and Richard Allison.

**On Agriculture.**—J. M. Skinner, Benjamin Sikes, Benjamin Muller, Council Wooten, J. W. Williams, Foster Jarvis, J. Dumas, D. Dowd, Caleb Stephens, T. Nicholson, Gideon Glenn, Ransom Walker, J. Spurgin, S. Dodson, Thomas Lawson, James R. Love, James Calloway and J. M. Webb.

**On Internal Improvements.** John H. Wheeler, W. D. Barnard, Alex. W. Mebane, A. Wooten, Alex. H. Gaston, O. B. Cox, Joseph A. Hill, Alexander McNeill, B. Leonard, William L. Long, Jesse Cooper, R. W. Hilliard, Richmond Pearson, Thomas McGehee, Littleton Gwynn, W. J. Alexander, A. Buggin and J. Whitaker.

**Of Privileges and Elections.**—Daniel Bateman, Satter Lloyd, Thomas Bell, J. W. Sawyer, Will. Wright, James Harper, J. M. Bogle, Thomas Dozier, D. Sloan, J. Purcell, W. Clemmons, Keder Whitley, W. Horton, William Donnell, Hardy Flowers, William Ellison, Jos. W. Winston and N. Edmonston.

**Of Finance.**—James Wyche, William S. Moon, Montfort Stokes, Reuben Kendall, R. B. Garey, S. Smallwood, W. S. Larkins and J. Murphy.

**On the Judiciary.**—Wm. J. Alexander, Spencer O'Brien, Louis D. Henry, Joseph A. Hill, Richmond Pearson, Bartlett Shipp and James Wyche.

**On Military Affairs.**—Thomas Nichol-

son, Thomas G. Polk, ——— Stockard, Joseph Arrington and T. Marshall.

**Friday, Nov. 19.**  
The resignation of Thomas A. Allison, Col. Commandant of the first Regiment of Iredell Militia, was read and accepted. The various subjects embraced in the Governor's Message, were on motion referred to distinct and appropriate committees.

On motion of Mr. Sawyer, the Judiciary Committee were instructed to enquire into the expediency of granting to the several prosecuting officers in this State, the right of making four peremptory challenges in all State cases. Also to enquire into the expediency of so amending the laws relative to trading with slaves and free negroes, as to extend their provisions to cases of white persons gaming with slaves or free negroes, and slaves and free negroes gaming with each other.

On motion of Mr. Bragg, the same Committee were directed to enquire into the expediency of amending the laws for the relief of Insolvent debtors, so as to give every party upon a trial of an issue of fraud, in the County Court the right of appeal to a higher tribunal.

On motion of Mr. Cox, the same Committee were instructed to enquire into the propriety of amending the law passed in 1824, limiting the time within which offences shall be prosecuted, so far as respects persons committing acts of theft.

On motion of Mr. Willey, the same Committee were directed to enquire as to the expediency of finally settling by law, the accounts as Administrators and Executors in this State.

On motion of Mr. O'Brien, so much of the several acts of the Legislature now in full force, relating to the emancipation of Slaves for meritorious services, was referred to the committee on the Judiciary, with instructions to give a legislative construction of the true meaning of the term "meritorious services." Also, that they enquire into the expediency of repealing altogether, those laws so far as relates to the emancipation of slaves.

On motion of Mr. Stedman, the committee to whom so much of the Govr's Message was referred, as relates to the subject of Slaves &c were instructed to enquire into the expediency of preventing the education of slaves and the dissemination of incendiary writings among them.

**Saturday, November 20.**

On motion of Mr. J. Whitaker, the Judiciary committee were instructed to enquire into the expediency of establishing a Superior Court in the county of Macon. Mr. W. J. Alexander presented the petition of Andrew Walker, of Mecklenburg, praying to be restored to credit.—Referred to the Committee on Propositions and Grievances.

On motion of Mr. Sawyer, the Judiciary Committee were instructed to enquire into the expediency of repealing the Act requiring defendants in Ejectment suits to enter into bail bonds for their appearance, and so to amend the law as to require defendants in such suits to give security for costs.

Mr. W. J. Alexander, from the Committee on the Judiciary, to whom was referred a Resolution instructing them to enquire into the expediency of amending the law passed in 1826, limiting the time within which offences shall be prosecuted, so far as respects persons committing theft: Reported, that act is inexpedient. Report concurred with.

On motion of Mr. E. Alexander, the Judiciary Committee were instructed to enquire into the expediency of so altering or amending the law with regard to laying off widows' dowers, as to lessen the number of Jurors and to allow them a reasonable compensation for their services.

On motion of Mr. Sloan, the same Committee were instructed to enquire into the expediency of so amending the law, as to compel Constables to pay over to the proper owners any monies by them collected whenever properly demanded.

Mr. Long presented the following Resolutions, which were read and referred to the Committee on Privileges and Elections:

**Resolved,** That Amos Weaver, one of the Representatives elect from the County of Guilford, is not constitutionally qualified to serve as a member of this House.

**Resolved,** That the seat of the said Amos Weaver be, and the same is hereby declared to be vacated.

**Monday, November 22.**

On motion of Mr. Glenn, the Judiciary Committee were instructed to enquire into the expediency of amending the law in regard to Bail, so as to make a surrender in all cases to the Sheriff or his deputy, a discharge of the bail.

On motion of Mr. Calloway, the Judiciary Committee were instructed to enquire into the expediency of so altering the law relative to the collection of notes or bonds given for trade or specific articles, as to compel the obligee or holder to give at least ten days notice to the obligor, of their intention to collect such notes or bonds, otherwise, no notes or bonds given for trade or specific articles shall be collected in Cash.

On motion of Mr. Webb, a select Committee was appointed to enquire into the expediency of providing by law for the establishment of a Penitentiary in this State; and all the documents, plans

and papers heretofore collected by the Governor on that subject, were referred to said Committee.

On motion of Mr. Spurgin, the Judiciary Committee were instructed to enquire into the expediency of so amending the laws relative to the imprisonment of debtors, as to make provision for paying the jail fees of such debtors as may be imprisoned.

Mr. Tatham submitted a Resolution which was rejected, having for its object an appropriation of money, to improve the Tennessee River Road in Macon county.

Mr. Sawyer presented the following Preamble and Resolutions which were on his motion laid on the table and ordered to be printed:—

Whereas the President of the United States, at the last session of Congress rejected as unconstitutional, an appropriation to the Mayville Turnpike Road, thereby incurring the denunciations of those who advocate an unlimited discretion in Congress, to appropriate the public money to Internal Improvements—a discretion, in the opinion of this General Assembly, alike impolitic and dangerous to the sovereignty of the States: And whereas the freemen of North Carolina united with others, in the election of Andrew Jackson to the Presidency of the United States, under the full expectation of his reforming abuses and restoring the Constitution to its original purity; And whereas, we recognize in the Message of the President accompanying his Veto to the appropriation for the Mayville Road, principles which challenge the approbation of every Republican, and an energy and firmness worthy of him who seeks to follow the example of the illustrious sage who reformed our system and which promised to save the Republic from submission to a Government without limitation of powers;

Be it further Resolved, by the General Assembly of the State of North Carolina, that Andrew Jackson is entitled to the thanks of this General Assembly for the firm and sound exercise of his constitutional privilege in the rejection of the Mayville Turnpike Road and others of a similar character.

**Resolved,** That the general policy and prominent measures of the Federal Government meet the approbation and support of this General Assembly.

**Resolved further,** That the foregoing Preamble and Resolution be signed by the Speaker of the Senate and the Speaker of the House of Commons, and be transmitted by the Governor of the State to the President of the United States.

Mr. Sawyer also presented the following Resolutions, which were likewise laid on the table and ordered to be printed:

**Resolved,** by the General Assembly of the State of North Carolina, that all duties imposed by Congress on imports, not for revenue, but to control the industry of the country, are unconstitutional.

**Resolved,** That the acts, commonly called the Tariff Laws, passed in 1824-25, for the encouragement of Manufactures, are deliberate, palpable and dangerous infractions of the Constitution.

**Resolved,** That those laws are partial and oppressive in their operation upon the Southern States, and in their consequences calculated to produce the ruin of one section of country, to corrupt the public morals of another, and to destroy the liberty of all.

**Resolved,** That it is the deliberate opinion of this Legislature, that to defend and protect the Constitution of the United States in its true meaning, to preserve unimpaired the reserved rights of the States and to protect its citizens from impending ruin, the crisis has arrived when it becomes the imperative duty of the State of North Carolina, through the medium of her Legislature, solemnly to protest and remonstrate against the usurpations of the Federal Government.

**Bills presented.**—By Mr. Webb, a bill to appoint an additional place of public sale in the county of Rutherford. By Mr. Moon, a bill to extend the provisions of an act passed in 1822, granting further time to perfect titles to lands within this State. By Mr. Wheeler, a bill more effectually to punish persons guilty of burning Court Houses, Clerks' Offices and Public Jails.

These bills were severally read the 1st time, and the last was referred to a committee with instructions to report a general bill on the subject.

**Tuesday, Nov. 23.**  
The petition of John Coulter of Lincoln, was presented by Mr. Loretz and referred on his motion, to the committee of Propositions and Grievances.

On motion of Mr. Spaight, the Judiciary Committee were instructed to enquire into the expediency of granting by express enactment, to the Judges of the Superior Courts of Law, power to issue during the term of any of the said Courts, writs of *Venue* returnable to some day in the same term for the purpose of compelling the attendance of a greater number of Jurors than were originally returned by the Sheriff, when the trial of any persons charged with a capital felony, shall render the exercise of such a power necessary.

The bill to extend the provisions of an act passed in 1822, granting further time to perfect titles to lands within this State; and the bill to appoint an additional place of sale in the county of Rutherford, were each read the second and third time, and ordered to be engrossed.

### New Fashions!!

MR. HORACE H. BEARD would respectfully inform the citizens of Salisbury and public generally, that he has just received the London Fall Fashions, by way of Philadelphia, which will enable him to cut and make garments after the latest and most approved style. He will continue to do work with his usual punctuality and neatness.

He has removed his shop to the room formerly occupied by Wade W. Hampton as a tailor shop, one door above Austin & Burns' drug Store.

N. B. Mr. Beard returns his most sincere thanks to those who have extended to him their patronage, while he has been in business and hopes by his unremitting attention to merit its continuance.

November 23rd, 1830. 476



FIAT JUSTITIA RUAT CULUS.

### Salisbury:

NOVEMBER 23, 1830.

The Message of His Excellency, Gov. Owen will be found on the 1st page of our paper. Much interesting matter has been excluded, to make room for it. We hope our readers will read with attention the masterly production of his Excellency—it is a valuable document.

**Examination.**—In witnessing the examination of the pupils of the Salisbury Female Academy, which took place on Wednesday and Thursday the 24th and 25th inst. we enjoyed a pleasure which has seldom, if ever, fallen to our lot. The sylph-like forms of the young ladies and little misses—the ease and readiness with which they answered the questions on the several branches of their education—their lady-like deportment and the masterly manner in which the examination was conducted by their able instructor and accomplished instructress—all combined, at once, to please and interest the spectators.

The students were examined upon Spelling, Reading, the Geography of Europe and America, Mental Arithmetic, English Grammar and the use of the Globes. Their proficiency in each and every of these branches of education was, at once, an evidence of the qualifications of Mr. & Miss Baker for the difficult task of imparting, and of the willingness of the pupils to receive, instruction. The examination was sustained, throughout, in such a manner as to elicit the highest encomiums from all present; indeed we believe no audience was ever better pleased. Many of the young ladies and misses are in possession of accomplishments which no lady would be ashamed of possessing and which many would be proud to possess.

At the close of the examination, the audience were gratified by "the concord of sweet sounds" which was produced by the fine and delicate touches of Miss Baker, upon the Piano, accompanied by a voice truly melodious. The pleasure which beamed upon every countenance while she played, and a something like regret which was visible, when she quit, is an evidence that we are not singular in saying we never enjoyed a richer treat.

Before concluding this short notice, we must felicitate the citizens of Salisbury upon the fine opportunity they now have of giving their daughters a substantial, and at the same time an accomplished education. The great qualifications of Miss & Mr. Baker and the happy manner in which they seem to have imparted a portion of their knowledge to their students is a sure guarantee that the education of those under their care will be neither slighted or neglected. We hope that no petty factions will be a bar to the award of that due, which merit always deserves, and which the citizens of Salisbury known so well how to bestow. "Literature" it has been observed "has no factions" and we sincerely hope the maxim will be verified in this instance.

We learn from our correspondent in Raleigh under date of the 23d Nov. that a bill has been introduced in the Senate to limit the Session of the Legislature to 42 days; in case the session continued longer the members, by its provisions, are to receive no pay. The bill, he thinks, will not pass in the house in which it originated, and if it does, it will not pass the lower house. Resolutions have been introduced in the house of commons approving of the Veto of Gen. Jackson and expressing thanks to him, for his firm and patriotic stand on that occasion. Our correspondent thinks, that they will pass by a large majority. Other resolutions have been introduced, disapproving of the Tariff and referred to a committee.

We are glad to see that our legislature is about to take some measures against that all-engrossing subject. It is high time that the Southern States should lend their efforts to pull down a system which will, eventually, reduce them to poverty, and which, by its close juncture with the more dangerous power of constructing roads, making canals, etc. will swallow up the State governments and merge them into one grand consolidated machine, the evils of which we tremble to contemplate. The Republicans should pull together, in every measure, which may be brought before the legislature for its consideration. Now is the time men should be known and designated by their proper names. A division of the Republican party on the election for Senator will be dangerous to their cause. Let them unite upon some firm and well-tryed statesman and one who is perfectly orthodox in all his political notions. The coming session of Congress is an important one—it will be big with the fate of this Republic. In the choice of Senator, then, let the Republican party—weigh well the pretensions of each competitor.

### Kyles & Meenan

RESPECTFULLY inform the public that they are now opening their fall supplies of

### GOODS

which will be found, as usual, large, fashionable and cheap

Broadcloths, Groceries, Cassimeres, Cutlery, Cassinells, Queensware, Hats, Domestic, Shoes, Calicoes, Saddlery, Silks, Sattins, Stationary, Ribbons, &c.

Salisbury, Nov. 2nd, 1830. 481

### TIN PLATE Workman WANTED,

CONSTANT Employment and good wages will be given to a first rate

**TIN PLATE Workman** of steady and industrious habits, one who is accustomed to work on Tinner's Machines.

DANIEL H. CRESS, 41st

Salisbury, October, 1830.

### The Subscriber

WISHES to sell his Plantation, situated in the county of Mecklenburg, one mile south-east from Charlotte, containing about

**Seven hundred Acres of LAND,** generally of good quality. A Gold Mine has recently been discovered upon the premises. For further particulars, apply to Dr. Samuel Henderson living on the plantation.

THOMAS I. POLK, 41st

Super. Dist. S. C.

Nov. 5, 1830. 6-60

### Rich Red Land, for Sale.

THE subscriber being about to remove to the West is anxious to sell the plantation on which he now lives lying in the Forks of the Yadkin near Dutchman's Creek, fifteen miles from Salisbury, on the road leading from that place to Greaves' bridge. There is about 200 acres in the above plantation, all of which is first rate red land. There is a good dwelling house, out-house, orchard, &c. on the premises. Any person wishing to purchase the above land can have an opportunity of viewing the premises by calling on the subscriber who may at all times be found on the premises.

GILES FOSTER, 40th

November 20th, 1830.

### Removal.

**THOMAS DICKSON, Tailor,** RESPECTFULLY informs his customers, and the public generally, that he has removed his SHOP, to the building formerly occupied by Lowry and Templeton, and more recently by Wade W. Hampton, as a Tailor's Shop; on Main street, the west side, a few doors from the Court-House, in the town of Salisbury; where he is prepared to execute all descriptions of

**TAILORING,** after the neatest fashions, and on the shortest notice; and is prepared to make all kinds of Clothing in the latest style, having in his employ six or seven first rate workmen, which enables him to do work on the shortest notice. All kinds of *Cutting Out* of Garments will be done on very moderate terms.

All orders from a distance for work, will be most faithfully executed, according to directions, and within the shortest possible time.

P. S. He has just received the latest fashions from Philadelphia and New-York; which will enable him to make fine Coats, &c. after the most approved style. 15

Salisbury, April 15th, 1830.

### Notice.

PURSUANT to the Will of the late Dr. James Hall, I will sell three shares of Stock in the Branch of the State Bank in Salisbury. Two of these shares are bequeathed to the Trustees of the General Assembly of the Presbyterian Church in the United States of America for the support of Missionaries under the direction of said Assembly—These two shares the Trustees have given me a letter of Attorney—to recover or transfer—the other share is a bequest to me for the Concord Bible Society which I propose for sale as an Executor of Dr. Hall for the use of that institution.

SAM'L KING, 31st

Attorney for the Trustees and Ex'r. of the late Dr. Hall.

November 8th, 1830.

### ROBERT R. BURTON, Esq.

Collector of the Catawba Navigation Company. DEAR SIR:

IN pursuance of a Resolution of the President and Directors of the Catawba Navigation Company calling on the Stockholders in said Company for the fourth and fifth instalments on each and every share, you are hereby required to apply to the Stockholders for the same. ISAAC T. AVERY, President. October 21st, 1830. 4148

### WAGONERS,

Driving to Fayetteville,

WILL find it to their advantage, to stop at the *Wagon Yard*, where every convenience is provided for Man and Horse, to make them comfortable, at the moderate charge of 25 cents a day and night, for the privilege of the Yard, the use of a good house, fire, water, and shelter. Attached to the Yard, are a Grocers and Provision Store, Bread Shop and Confectionary, and a House for Boarders and Lodgers in a plain, cheap, wholesome and comfortable style.—Fayetteville April, 1st 1833. 11

### Committed to Jail,

IN Concord, N. C. on Nov. 17th, a negro boy by the name of BILL, about 24 years of age, dark complexion and 5 feet 6 inches high; said boy says he belongs to Maj. John Bolon of Richmond county in Georgia. The owner is requested to come forward, prove property, pay charges and take him away. WM. O. MAHAN, Jailor. November 23rd, 1830. 477



